

1 MELVIN R. GOLDMAN (CA SBN 34097)
MGoldman@mofo.com
2 STEPHEN P. FRECCERO (CA SBN 131093)
SFreccero@mofo.com
3 DEREK F. FORAN (CA SBN 224569)
DForan@mofo.com
4 MORRISON & FOERSTER LLP
425 Market Street
5 San Francisco, California 94105-2482
Telephone: 415.268.7000
6 Facsimile: 415.268.7522

7
8 Attorneys for Defendants
SEIKO EPSON CORPORATION, EPSON IMAGING
9 DEVICES CORPORATION AND EPSON ELECTRONICS
AMERICA, INC.

10 [Additional counsel listed on signature page.]

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 IN RE: LCD (FLAT PANEL) ANTITRUST
15 LITIGATION

16 This Document Relates to:

17 ATS Claim, LLC v. Epson Electronics
America, Inc., et al., Case No. 09-cv-1115

18 AT&T Mobility LLC et al v. AU Optronics
19 Corporation et al., Case No. 09-cv-4997

20 Best Buy Co., Inc., et al. v. AU Optronics
Corporation et al. Case No. 10-cv-4572

21 Costco Wholesale Corporation v. AU
22 Optronics Corporation, et al., Case
No. 11-cv-0058

23 Dell Inc. et al. v. Sharp Corporation et al., Case
24 No. 10-cv-1064

25 Eastman Kodak Company v. Epson Imaging
26 Devices Corporation et al., Case No.
10-cv-5452

Master File No. 3:07-md-1827 SI
MDL No. 1827
Case No. 09-cv-1115
Case No. 09-cv-4997
Case No. 10-cv-4572
Case No. 11-cv-0058
Case No. 10-cv-1064
Case No. 10-cv-5452
Case No. 10-cv-0117
Case No. 09-cv-5840
Case No. 09-cv-5609
Case No. 10-cv-4945
Case No. 10-cv-3205
Case No. 10-cv-3619
Case No. 10-cv-3517

**STIPULATION REGARDING
DISCOVERY AS TO THE
AUTHENTICITY OF DOCUMENTS
AND THEIR STATUS AS "BUSINESS
RECORDS"**

1 Electrograph Systems, Inc., et al. v. Epson
2 Imaging Devices Corp., et al., Case No.
10-cv-0117
3 Motorola, Inc. v. AU Optronics Corporation et
4 al., Case No. 09-cv-5840
5 Nokia Corporation, et al v. AU Optronics
6 Corporation et al., Case No. 09-cv-5609
7 Target Corp. et al. v. AU Optronics
8 Corporation et al., Case No. 10-cv-4945
9 TracFone Wireless, Inc. v. AU Optronics
10 Corporation et al., Case No. 10-cv-3205
11 State of Missouri, et al. v. AU Optronics
12 Corporation et al., Case No. 10-cv-3619
13 State of Florida v. AU Optronics Corporation
14 et al., Case No. 10-cv-3517
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 WHEREAS, the parties wish to cooperate in developing an efficient means of addressing
2 the authenticity and status as business records of documents in the Direct Action Plaintiff and
3 Attorney General cases referenced above;

4 WHEREAS, the parties also wish to avoid the costs and burdens of discovery requests and
5 depositions necessary to establish the authenticity and status as business records of documents,
6 and with that end in mind, the parties are negotiating in good faith a stipulation regarding the
7 authenticity and status as business records of documents for use in the Direct Action Plaintiff and
8 Attorney General cases referenced above;

9 WHEREAS, the Court has set a fact discovery cut-off applicable to the Direct Action
10 Plaintiff and Attorney General cases referenced above of December 8, 2011;

11 WHEREAS, given the number of parties and documents the parties contemplate they will
12 need additional time to agree on the terms of a stipulation regarding the authenticity and status as
13 business records of documents for use in the Direct Action Plaintiff and Attorney General cases
14 referenced above;

15 NOW THEREFORE, IT IS HEREBY STIPULATED by the undersigned counsel on
16 behalf of the parties identified below (the "Stipulating Parties"), that in the event the parties are
17 unable to agree on a stipulation regarding the authenticity and status as business records of
18 documents for use in the Direct Action Plaintiff and Attorney General cases, referenced above, or
19 if the parties are unable to agree on the authenticity and status as business records of individual
20 documents, the Stipulating Parties may, nonetheless, proceed with discovery related to the
21 authentication and status as business records of documents for use in the foregoing actions
22 beyond the date currently set for the close of fact discovery. This stipulation does not extend the
23 discovery cut-off for any other discovery proceedings.

24 ///

25 ///

26 ///

27 ///

1 Dated: November 3, 2011

By: /s/ Jason C. Murray

2 CROWELL & MORING LLP
3 Jason C. Murray
4 Joshua Stokes
5 515 South Flower St., 40th Floor
6 Los Angeles, CA 90071
7 Tel: (213) 622-4750
8 Fax: (213) 622-2690

6 CROWELL & MORING LLP
7 Jeffrey H. Howard (*pro hac vice*)
8 Jerome A. Murphy (*pro hac vice*)
9 1001 Pennsylvania Avenue, N.W.
10 Washington D.C. 20004
11 Tel: (202) 624-2500
12 Fax: (202) 628-5116

*Counsel for Plaintiffs AT&T Mobility LLC,
et al.; Motorola Mobility Inc.; and Target
Corp., et al.*

12 Dated: November 3, 2011

By: /s/ David P. Germaine

13 VANEK VICKERS & MASINI P.C.
14 David Germaine
15 111 S. Wacker, Suite 4050
16 Chicago, IL. 60606
17 Tel: (312) 224-1500
18 Fax: (312) 224-1510

Counsel for Plaintiff ATS Claim, LLC

1 Dated: November 3, 2011

By: /s/ David Martinez

2 ROBINS, KAPLAN, MILLER & CIRESI
3 L.L.P.

4 Roman M. Silberfeld

5 David Martinez

6 2049 Century Park East, Suite 3400

7 Los Angeles, CA 90067-3208

8 Tel: (310) 552-0130

9 Fax: (310) 229-5800

10 ROBINS, KAPLAN, MILLER & CIRESI
11 L.L.P.

12 Elliot S. Kaplan (pro hac vice)

13 K. Craig Wildfang (pro hac vice)

14 Lauren E. Wood (pro hac vice)

15 800 LaSalle Avenue

16 2800 LaSalle Plaza

17 Minneapolis, MN 55402

18 Tel: (612) 349-8500

19 Fax: (612) 339-4181

20 *Counsel for Plaintiffs Best Buy Co., et al.*

21 Dated: November 3, 2011

By: /s/ Cori G. Moore

22 PERKINS COIE LLP

23 David J. Burman

24 Cori G. Moore

25 1201 Third Avenue, Suite 4800

26 Seattle, WA 98101-3099

27 Tel: (206) 359-8000

28 Fax: (206) 359-9000

Counsel for Plaintiff Costco Wholesale Corporation

29 Dated: November 3, 2011

By: /s/ Debra D. Bernstein

30 ALSTON + BIRD LLP

31 Michael P. Kenny

32 Debra D. Bernstein

33 Rodney J. Ganske

34 1201 West Peachtree Street

35 Atlanta, GA 30309-3424

36 Tel: (404) 881-7000

37 Fax: (404) 881-7777

38 *Counsel for Plaintiffs Dell Inc. and Dell Products L.P.*

1 Dated: November 3, 2011

By: /s/ John R. Foote

2
3 NIXON PEABODY LLC
Karl D. Belgum
John R. Foote
4 One Embarcadero Center, 18th Floor
San Francisco, CA 94111
5 Tel: (415) 984-8200
6 Fax: (415) 984-8300

7 *Counsel for Plaintiff Eastman Kodak*

8 Dated: November 3, 2011

By: /s/ William A. Isaacson

9 BOIES, SCHILLER & FLEXNER LLP
10 William A. Isaacson (pro hac vice)
5301 Wisconsin Ave. NW, Suite 800
11 Washington, D.C. 20015
Tel: (202) 237-2727
12 Fax: (202) 237-6131

13 BOIS, SCHILLER & FLEXNER LLP
Philip J. Iovieno (pro hac vice)
14 10 North Pearl Street, 4th Floor
Albany, NY 12207
15 (518) 434-0600
(518) 434-0665

16 BOIS, SCHILLER & FLEXNER LLP
17 Laura J. McKay
1999 Harrison Street, Suite 900
18 Oakland, CA 94612
Tel: (510) 874-1000
19 Fax: (510) 874-1460

20 *Counsel for Plaintiffs Electrograph*
21 *Systems, Inc., et al.*

1 Dated: November 3, 2011

By: /s/ B. Parker Miller

2 ALSTON + BIRD LLP
3 Randall Allen
4 275 Middlefield Road, Suite 150
5 Menlo Park, CA 94025
6 Tel: (650) 838-2000
7 Fax: (650) 838-2001

8 ALSTON + BIRD LLP
9 Peter Kontio
10 Valarie C. Williams
11 B. Parker Miller
12 1201 West Peachtree Street
13 Atlanta, GA 30309
14 Tel: (404) 881-7000
15 Fax: (404) 881-7777

16 *Counsel for Plaintiffs Nokia Corporation*
17 *and Nokia Inc.*

18 Dated: November 3, 2011

By: /s/ David B. Esau

19 CARLTON FIELDS, P.A.
20 James B. Baldinger (*pro hac vice*)
21 Robert L. Ciotti (*pro hac vice*)
22 David B. Esau (*pro hac vice*)
23 CityPlace Tower
24 525 Okeechobee Boulevard, Suite 1200
25 West Palm Beach, FL 33401
26 Tel: (561) 659-7070
27 Fax: (561) 659-7368

28 *Counsel for Plaintiff TracFone Wireless,*
Inc.

Dated: November 3, 2011

By: /s/ Anne E. Schneider

ATTORNEY GENERAL OF MISSOURI
Chris Koster
Anne E. Schneider (*pro hac vice*)
Andrew M. Hartnett (*pro hac vice*)
P.O. Box 899
Jefferson City, MO 65102
Tel: (573) 751-3321
Fax: (573) 751-2041

Counsel for Plaintiff State of Missouri

1 Dated: November 3, 2011

By: /s/ David A. Curran

2 ATTORNEY GENERAL OF
3 ARKANSAS
4 David A. Curran (*pro hac vice*)
5 323 Center Street, Suite 500
6 Little Rock, AR 72201
7 Tel: (501) 682-2007
8 Fax: (501) 682-8118

Counsel for Plaintiff State of Arkansas

7 Dated: November 3, 2011

By: /s/ M. Elizabeth Lippitt

8 ATTORNEY GENERAL OF MICHIGAN
9 Bill Schuette (*pro hac vice*)
10 M. Elizabeth Lippitt (*pro hac vice*)
11 Corporate Oversight Division
12 525 West Ottawa Street, 6th Floor
13 Lansing, MI 48933
14 Tel: (517) 373-1160
15 Fax: (517) 335-1935

Counsel for Plaintiff State of Michigan

14 Dated: November 3, 2011

By: /s/ Douglas L. Davis

15 ATTORNEY GENERAL OF WEST
16 VIRGINIA
17 Darrell McGraw
18 Jill L. Miles (*pro hac vice*)
19 Douglas L. Davis (*pro hac vice*)
20 West Virginia Attorney General Office
21 812 Quarrier St., First Floor
22 Jefferson City, MO 65102
23 Tel: (304) 558-8986
24 Fax: (304) 558-0184

Counsel for Plaintiff State of West Virginia

21 Dated: November 3, 2011

By: /s/ Gwendolyn J. Cooley

22 ATTORNEY GENERAL OF
23 WISCONSIN
24 J.P. Van Hollen
25 Gwendolyn J. Cooley (*pro hac vice*)
26 Wisconsin Department of Justice
27 P.O. Box 7857
28 Madison, WI 53707
Tel: (608) 261-5810
Fax: (608) 267-2778

Counsel for Plaintiff State of Wisconsin

1 Dated: November 3, 2011

By: /s/ Lizabeth A. Brady

2 OFFICE OF THE ATTORNEY
3 GENERAL

4 STATE OF FLORIDA

5 R. Scott Palmer

6 Lizabeth A. Brady

7 Nicholas Weilhammer

8 Eli Friedman

9 PL-01, The Capitol

10 Tallahassee, FL 32399-1050

11 Tel: (850) 414-3300

12 Fax: (850) 488-9134

13 *Counsel for Plaintiff State of Florida*

1 Dated: November 3, 2011

By: /s/ James A. Nickovich

2 NOSSAMAN LLP
3 Christopher A. Nedeau, Esq.
4 Carl L. Blumenstein, Esq.
5 Allison M. Dibley, Esq.
6 James A. Nickovich, Esq.
7 50 California Street, 34th Floor
8 San Francisco, CA 94111
9 Tel: (415) 398-3600
10 Fax: (415) 398-2438

11 *Counsel for Defendants AU Optronics*
12 *Corporation and AU Optronics*
13 *Corporation America*

14 Dated: November 3, 2011

By: /s/ Harrison J. Frahn IV

15 SIMPSON THACHER & BARTLETT
16 LLP
17 Harrison J. Frahn IV
18 2550 Hanover Street
19 Palo Alto, CA 94304
20 Telephone: (650) 251-5000
21 Facsimile: (650) 251-5002

22 DAVIS POLK & WARDWELL LLP
23 Christopher B. Hockett
24 Neal A. Potischman
25 Sandra West
26 1600 El Camino Real
27 Menlo Park, CA 94205
28 Tel: (650) 752-2000
Fax: (650) 752-2111

Counsel for Defendants Chi Mei
Corporation, Chimei Innolux Corporation,
Chi Mei Optoelectronics USA, Inc., CMO
Japan Co., Ltd., Nexgen Mediatech, Inc.
and Nexgen Mediatech USA, Inc.

1 Dated: November 3, 2011

By: /s/ Joel Sanders

2 GIBSON, DUNN & CRUTCHER LLP
3 Joel Sanders, Esq.
4 555 Mission Street, Suite 3000
5 San Francisco, CA 94105-2933
6 Tel: (415) 393-8200
7 Fax: (415) 986-5309

8 *Counsel for Defendants Chunghwa Picture
9 Tubes, Ltd. and Tatung Company of
10 America for Cases Nos. 10-cv-4573, 11-
11 cv-0058, 09-cv-5609, and 10-cv-4945*

12 Dated: November 3, 2011

By: /s/ Ramona M. Emerson

13 K&L GATES LLP
14 Hugh F. Bangasser, Esq.
15 Ramona M. Emerson, Esq.
16 925 Fourth Avenue, Suite 2900
17 Seattle, WA 98104-1158
18 Tel: (206) 623-7580
19 Fax: (206) 623-7022

20 *Counsel for Defendants HannStar Display
21 Corporation*

22 Dated: November 3, 2011

By: /s/ Kent M. Roger

23 MORGAN, LEWIS & BOCKIUS LLP
24 Kent M. Roger
25 Herman J. Hoying
26 One Market, Spear Tower
27 San Francisco, CA 94105
28 Tel: (415) 442-1000
Fax: (415) 442-1001

*Counsel for Defendants Hitachi, Ltd.,
Hitachi Displays, Ltd., and Hitachi
Electronic Devices (USA), Inc.*

1
2 Dated: November 3, 2011

By: /s/ Michael R. Lazerwitz

3 CLEARY GOTTlieb STEEN &
4 HAMILTON LLP
5 Michael R. Lazerwitz, Esq.
6 Lee F. Berger, Esq.
7 Kelsey W. Shannon, Esq.
8 2000 Pennsylvania Avenue N.W.
9 Washington, DC 20006
10 Tel: (202) 974-1500
11 Fax: (202) 974-1999

12 PAUL HASTINGS LLP
13 Holly A. House (SB# 136045)
14 Kevin C. McCann (SB# 120874)
15 55 Second Street
16 Twenty-Fourth Floor
17 San Francisco, CA 94105
18 Tel: (415) 856-7000
19 Fax: (415) 856-7100

20 *Counsel for Defendants LG Display*
21 *America, Inc. and LG Display Co., Ltd.*

22 Dated: November 3, 2011

By: /s/ Michael E. Mumford

23 BAKER HOSTETLER LLP
24 Ernest E. Vargo, Esq.
25 Paul P. Eyre, Esq.
26 Michael E. Mumford, Esq.
27 PNC Center
28 1900 East Ninth Street, Suite 3200
Cleveland, OH 44114
Tel: (216) 621-0200
Fax: (216) 696-0740

Counsel for Defendants Mitsui & Co.
(Taiwan), Limited

1 Dated: November 3, 2011

By: /s/ Brendan P. Cullen

2 SULLIVAN & CROMWELL LLP
3 Garrard R. Beeney, Esq.
4 Theodore Edelman, Esq.
5 125 Broad Street
6 New York, NY 10004-2498
7 Tel: (212) 558-4000
8 Fax: (212) 558-3588

9 Brendan P. Cullen, Esq.
10 Shawn J. Lichaa, Esq.
11 1870 Embarcadero Road
12 Palo Alto, CA 94303
13 Tel: (650)461-5600
14 Fax: (650) 461-5745

15 *Counsel for Defendants Philips*
16 *Electronics North*
17 *America Corporation*

18 Dated: November 3, 2011

By: /s/ Jeffrey Davidson

19 COVINGTON & BURLING LLP
20 Timothy C. Hester, Esq.
21 Robert D. Wick, Esq.
22 Derek Ludwin, Esq.
23 Jeffrey Davidson, Esq.
24 One Front Street
25 San Francisco, CA 94111
26 Tel: (415) 591-6000
27 Fax: (415) 591-6091

28 *Counsel for Defendants Samsung*
Electronics Co., Ltd., Samsung
Semiconductor, Inc., and Samsung
Electronics America, Inc.

1 Dated: November 3, 2011

By: /s/ Allison A. Davis

2 DAVIS WRIGHT TREMAINE LLP
3 Allison A. Davis, Esq.
4 505 Montgomery Street, Suite 800
5 San Francisco, CA 94111
6 Tel: (415) 276-6500
7 Fax: (415) 276-6599

8 DAVIS WRIGHT TREMAINE LLP
9 Nick S. Verwolf, Esq.
10 777 108th Avenue N.E., Suite 2300
11 Bellevue, WA 98004
12 Tel: (425) 646-6100
13 Fax: (425) 646-6199

14 *Counsel for Defendants Sanyo Consumer*
15 *Electronics Co., Ltd.*

16 Dated: November 3, 2011

By: /s/ Tyler M. Cunningham

17 SHEPPARD MULLIN RICHTER &
18 HAMPTON LLP
19 Gary L. Halling
20 James L. McGinnis
21 Michael W. Scarborough
22 Mona Solouki
23 Tyler M. Cunningham
24 Four Embarcadero Center, 17th Floor
25 San Francisco, CA 94111-4106
26 Tel: (415) 434-9100
27 Fax: (415) 434-3947

28 *Counsel for Defendants Samsung SDI Co.,*
Ltd. and Samsung SDI America, Inc.

Dated: November 3, 2011

By: /s/ Derek F. Foran

MORRISON & FOERSTER LLP
Melvin Goldman
Stephen P. Freccero
Derek F. Foran
425 Market Street
San Francisco, California 94105-2482
Tel: (415) 268-7000
Fax: (415) 268-7522

Counsel for Defendants Seiko Epson
Corporation, Epson Imaging Devices
Corporation and Epson Electronics
America, Inc.

1 Dated: November 3, 2011

By: /s/ Jacob R. Sorensen

2 PILLSBURY WINTHROP SHAW
3 PITTMAN LLP

4 Jacob R. Sorensen, Esq.
5 50 Fremont Street, 5th Floor
6 San Francisco, CA 94105
7 Tel: (415) 983-1000
8 Fax: (415) 983-1200

6 BINGHAM MCCUTCHEN LLP

7 Colin West, Esq.
8 Three Embarcadero Center
9 San Francisco, CA 94111-4067
10 Tel: (415) 393-2000
11 Fax: (415) 393-2286

*Counsel for Defendants Sharp
Corporation and Sharp Electronics
Corporation*

12 Dated: November 3, 2011

By: /s/ Patrick J. Ahern

13 BAKER & MCKENZIE

14 Patrick J. Ahern, Esq.
15 One Prudential Plaza
16 130 East Randolph Drive
17 Chicago, IL 60601
18 Tel: (312) 861-8000
19 Fax: (312) 861-2899

*Counsel for Defendant Tatung Company
of America, Inc.*

19 Dated: November 3, 2011

By: /s/ Kristen J. McAhren

20 WHITE & CASE LLP

21 Christopher M. Curran (*pro hac vice*)
22 John H. Chung (*pro hac vice*)
23 Martin M. Toto (*pro hac vice*)
24 Kristen J. McAhren (*pro hac vice*)
25 1155 Avenue of the Americas
26 New York, NY 10036
27 Tel: (212) 819-8200
28 Fax: (212) 354-8113

*Attorneys for Toshiba Corporation,
Toshiba Mobile Display Co., Ltd., Toshiba
America Electronic Components, Inc. and
Toshiba America Information Systems,
Inc.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: 11/4/11 _____



HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Derek Foran, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: November 3, 2011

By: /s/ Derek F. Foran
Derek F. Foran